

BOARD OF APPEAL REFERRALS

January 10, 1980

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MEMORANDUM

January 10, 1980

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 1/22/80

Z-4580

Gaston-Serge-Jean Pierre Realty Trust
132 Newbury Street, Boston
Near Dartmouth Street

Four story structure - B-4-70

District(s):	apartment_____	general business B-4-70	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Excavate front yard; install stairway to basement.

Violation(s):

SectionRequiredProposed

22-2. Required front yard will be below grade level.

It is proposed to excavate and install an entrance stairway to new basement level retail clothing store. Site is inappropriate for an eight foot depression. Entrance to the building is at street level unlike surrounding buildings with raised basement areas. Neither the Back Bay Association nor the Neighborhood Association of Back Bay have taken an official position on the proposal. Petitioner should review design with Back Bay Architectural Commission. Recommend Denial as submitted.

VOTED: In Reference to Petition Z-4580, brought by Gaston-Serge-Jean Pierre Realty Trust, 132 Newbury Street, Boston, for a variance to install basement stairway in front yard in a General Business (B-4-70) District, The Boston Redevelopment Authority recommends denial as submitted. Site is inappropriate for proposed eight foot depression. Petitioner should review design with the Back Bay Architectural Commission.

Z-4580

132 NEWBURY ST.

(B.P.)



Board of Appeal Referrals January 10, 1980

Hearing: 1/22/80

Z-4582
Lee Eiseman
76 High Street, Charlestown
Near School Street

2½ story frame structure - H-1

District(s):	apartment <u>H-1</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: Legalize occupancy - five apartments.

Violation(s):

Section

Required

Proposed

23-1. Off street parking is insufficient.

Occupancy has existed for several years. Resident-owner has substantially improved property. Abutters and neighbors are in support. Recommend Approval.

VOTED: In Reference to Petition Z-4582, brought by Lee Eiseman, 76 High Street, Charlestown, for a variance to legalize occupancy for five apartments in an Apartment (H-1) District, the Boston Redevelopment Authority recommends approval. Occupancy has existed for several years. Resident-owner has substantially improved property. Abutters and neighbors are in support.



Z-4582
76 HIGH ST.
(CHSN.)

Board of Appeal Referrals January 10, 1980

Hearing: 1/22/80

Z-4585
Douglas J. Friend
93 Revere Street, Boston
At West Cedar Street

Four story structure - H-2-65

District(s): apartment H-2-65 general business _____ industrial _____
 residential _____ local business _____ waterfront _____
 single family _____ manufacturing _____

Purpose: Change occupancy from lodging house to four apartments.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
17-1. Open space is insufficient	150 sf.	0

Proposal will improve the structure and enhance the neighborhood.
Beacon Hill Civic Association has not taken an official position
at this time. Recommend Approval.

VOTED: In Reference to Petition Z-4585, brought
 by Douglas J. Friend, 93 Revere Street,
 Boston, for a variance for change of
 occupancy from lodging house to four
 apartments in an Apartment (H-2-65)
 District, the Boston Redevelopment recommends
 approval. Proposal will improve structure and
 enhance neighborhood.



Z-4585
93 REVÈRE ST.
(B.P.)

Board of Appeal Referrals January 10, 1980

Hearing: 1/29/80

Z-4593
Moritz O. Bergmeyer
108-110 Fulton Street, Boston
Near Richmond Street

4½ story structure - M-2

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-2 _____

Purpose: Change occupancy from four family dwelling to five apartments and office; erect one story addition.

Violation(s):

Section

Required

Proposed

9-1. Extension of a non conforming use requires Board of Appeal Approval.

Building is located in the Section of Fulton Street outside the boundary of the Waterfront Urban Renewal Area. Proposal is consistent with similar uses in the Fulton-Commercial Street area of the Renewal Project.
Recommend Approval with Proviso.

VOTED: In reference to Petition Z-4593, brought by Moritz O. Bergmeyer, 108-110 Fulton Street, Boston, for an extension of a nonconforming use for change of occupancy from four family dwelling to five apartments and office and erect a one-story addition on the rear of the roof in a Manufacturing (M-2) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



Board of Appeal Referrals

January 10, 1980

Hearing: 1/29/80

Z-4595

James E. Mrose
468 Park Drive, Boston
Near Beacon Street

Three story structure - H-2

District(s):	apartment <u>H-2</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: Change occupancy from four apartments to one family dwelling and law office.

Violation(s):

Section

Required

Proposed

10-2. Accessory office open to the public not allowed in H-2 District.

Building will be occupied by owner-resident patent lawyer whose clients are seen by appointment only. Accessory office use is consistent with nearby local commercial facilities. Recommend Approval, provided there is no sign visible from the street.

VOTED: In Reference to Petition Z-4595, brought by James E. Mrose, 468 Park Drive, Boston for a forbidden use for change of occupancy from four apartments to one family dwelling and law office in an Apartment (H-2) District, the Boston Redevelopment Authority recommends approval provided there is no sign visible from the street. Accessory office use is consistent with nearby local commercial facilities.

LINE

Z-4595
468 PARK DRIVE
(B.P.)



Board of Appeal Referrals January 10, 1980

Hearing: 2/5/80 Z-4598
77 Salem Street Realty Trust
77 Salem Street, Boston
Near Cross Street

One story structure - B-2

District(s):	apartment_____	general business <u>B-2</u>	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Erect seven story twelve unit apartment structure - accessory parking garage.

Violation(s):

Section

Required

Proposed

15-1. Floor area ratio is excessive.

Salem Street is narrow, congested, heavily populated. Proposal will disrupt the local commercial character and intensify existing severe traffic conditions. Little City Hall is opposed. Community reaction is mixed, both favorable and unfavorable. Recommend Denial without prejudice.

VOTED: In reference to Petition Z-4598, brought by 77 Salem Street Realty Trust, 77 Salem Street, Boston, for a variance to erect a seven story twelve unit apartment structure— accessory parking garage in a General Business (B-2) district, the Boston Redevelopment Authority recommends denial without prejudice.



Z-4598
77 SALEM ST.
(B.P.)

Board of Appeal Referrals January 10, 1980

Hearing: 2/5/80 Z-4599
Boston Congregation of Jehovah Witnesses
136 St. Botolph Street, Boston
At Cumberland Street

Three story structure - H-2

District(s):	apartment <u>H-2</u>	general business <u> </u>	industrial <u> </u>
	residential <u> </u>	local business <u> </u>	waterfront <u> </u>
	single family <u> </u>		manufacturing <u> </u>

Purpose: Erect one story addition to church.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
15-1. Floor area ratio is excessive		
19-6. Side yard is insufficient.		

Proposed 11'x 47' addition would be constructed at front and left side of the row structure. Expanded activities could affect traffic circulation and parking. Curb parking demands are excessive in this neighborhood. The St. Botolph area is under consideration for designation as an historic district; residents are concerned that the extension will impair the architectural character of the original townhouse structure and affect the visual quality of the adjacent area. Abutters, residents and St. Botolph Civic Association are opposed. Recommend Denial.

VOTED: In Reference to Petition Z-4599, brought by Boston Congregation of Jehovah Witnesses, 136 St. Botolph Street, Boston, for two variances to erect a one-story addition to a church in an Apartment (H-2) District, the Boston Redevelopment Authority recommends denial. Expanded church activities could affect traffic circulation and parking. Curb parking demands are excessive in the neighborhood. The St. Botolph area is under consideration for designation as an historic district; residents are concerned that the extension will impair the architectural character of the original townhouse and affect the visual quality of the adjacent area.



Z-4599
136 ST BOTOLPH ST.
(B.P.)

Board of Appeal Referrals January 10, 1980

Hearing: 1/29/80 Z-4613
 D Mary Henderson
 238 Bunker Hill Street
 Charlestown
 At Pearl Street

2½ story masonry structure - L-1

District(s): apartment _____ general business _____ industrial _____
 residential _____ local business L-1 waterfront _____
 single family _____ manufacturing _____

Purpose: Change occupancy from one family dwelling and retail store
 two family dwelling.

Violation(s):

Section

Required

Proposed

8-7 Any dwelling converted for more
 families which does not meet the
 requirements of lot area and open sapce
 is forbidden in an L-1 District.

14-2. Lot area is insufficient 6,000 sf. 1,133 sf.

17-1. Open space is insufficient 400 sf. 66 sf.

Proposal will restore historic house as closely as possible to its
 original condition and residential character. Abutters, Residents
 and Little City Hall support the proposal. Recommend Approval.

VOTED: In Reference to Petition Z-4613, brought
 by D. Mary Henderson, 238 Bunker Hill Street,
 Charlestown, for a forbidden use and two
 variances for change of occupancy from one
 family dwelling and store to two family
 dwelling in a Local Business (L-1) District,
 the Boston Redevelopment Authority recommends
 approval. Proposal will restore residential
 character to this historic structure.



Z-4613

238 BUNKER HILL ST
(CHSN)

Board of Appeal Referrals January 10, 1980

Hearing: 1/29/80

Petition Z-4623
Anthony F. Lepardo
57-65 Magazine Street &
6-8 Cedric Street, Roxbury

Three story structure - M-2 & I-2

District(s):	apartment_____	general business_____	industrial I-2_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing M-2_____

Purpose: Change occupancy to offices, storage and transfer station.

Violation(s):

Section

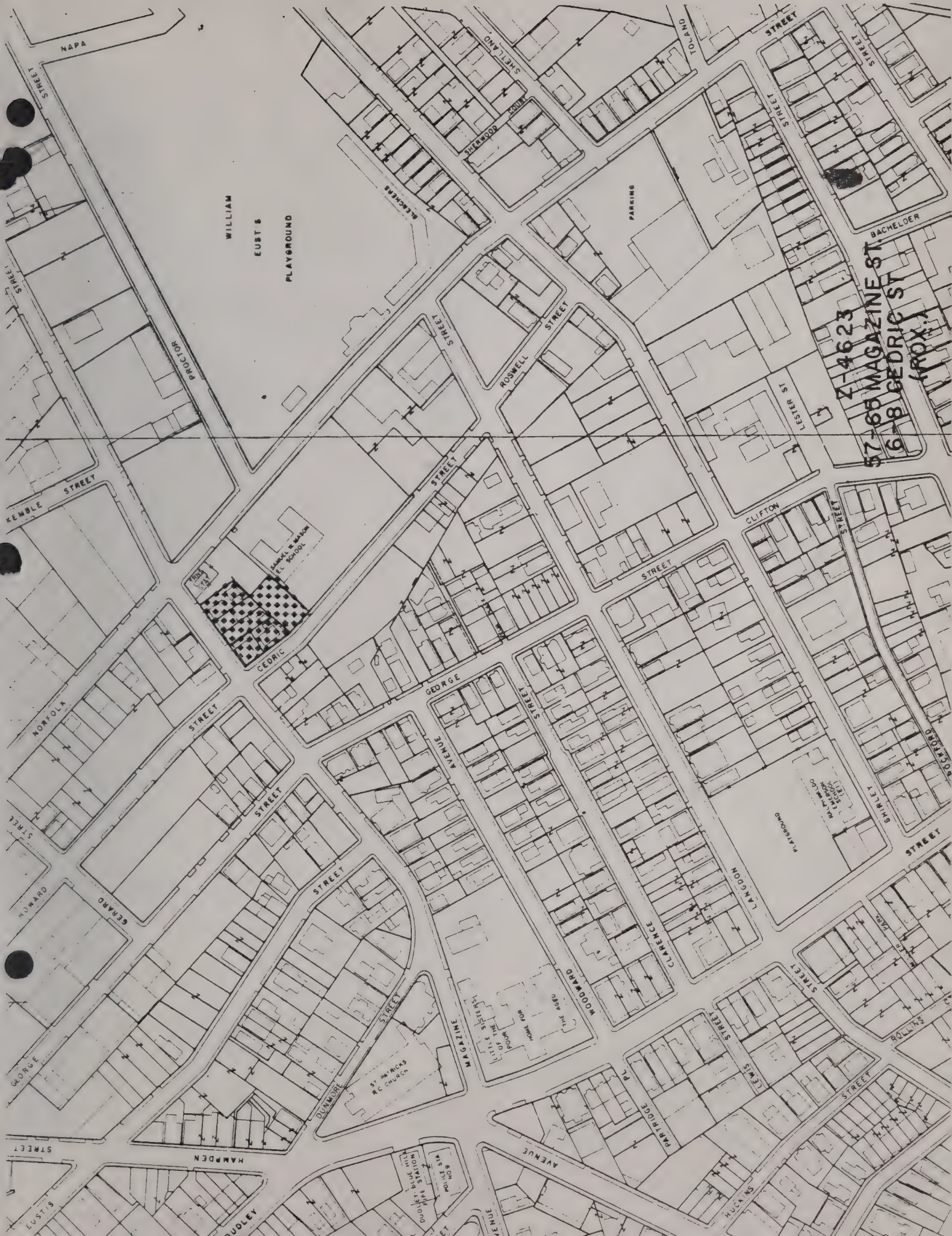
Required

Proposed

8-7. Outdoor storage of salvage articles and a transfer station are forbidden in M-2 & conditional in I-2 Districts.

No record of legal occupancy in the Building Department. Petitioner proposes to use existing building for office and remaining area for exterior storage of salvage materials and transfer station. Uses are incompatible with and hazardous to abutting Mason Elementary School and adjacent residential neighborhood. Residents are adamantly opposed; Little City Hall has also expressed opposition. Recommend Denial.

VOTED: In Reference to Petition Z-4623, brought by Anthony F. Lepardo, 57-65 Magazine & 6-8 Cedric Streets, Roxbury, for a forbidden use and a conditional use for change of occupancy to offices, storage and transfer station in Manufacturing (M-2) & Industrial (I-2) Districts, the Boston Redevelopment Authority recommends denial. Proposed uses are incompatible with and hazardous to abutting Mason Elementary School and adjacent residential neighborhood. Residents and Little City Hall are opposed.



WILLIAM
EUSTIS
PLAYGROUND

JAMES M. MASON
R.C. SCHOOL

ST. PATRICK'S
R.C. CHURCH

PARKING

2-4623
57-68 MAGAZINE ST
6-8 CEDRIC ST
(POX)

Board of Appeal Referrals January 10, 1980

Hearing: 1/29/80

Z-4625

Charles J. Famolare, III
 362 West Fourth Street &
 299-301-303 E. St., South Boston

3½ story frame structure - H-1-50

District(s):	apartment H-1-50	general business	industrial
	residential	local business	waterfront
	single family		manufacturing

Purpose: Change occupancy from three family dwelling and four stores to three family dwelling, offices, catering business and restaurant.

Violation(s):

SectionRequiredProposed

9-2. A change in a non conforming use requires Board of Appeal Hearing.

Proposal includes exterior - interior building renovation and replacement of four vacant stores with offices, catering kitchen and "Take out Deli." Food would be prepared on premises for consumption elsewhere. Deli will have no seating facilities. Petitioner has negotiated with South Boston Action Center to provide meals for South Boston Elderly Citizens at a reasonable cost. South Boston Residents Group, Citizens Association and Little City Hall have expressed support. Recommend Approval with Proviso.

VOTED: In Reference to Petition Z-4625, brought by Charles J. Famolare, III, 362 West Fourth St. & 299-301-303 E St, South Boston, for a change in a non conforming use for change of occupancy from three family dwelling and four stores to three family dwelling, offices, catering business and restaurant in an Apartment (H-1-50) District, the Boston Redevelopment Authority recommends approval with the following proviso: That kitchen ventilation system be directed away from adjacent residential structures.



Board of Appeal Referrals January 10, 1980

Hearing: 1/22/80

Z-4628
Salvation Army of Mass Inc
332 Jamaicaaway, Jamaica Plain
at Perkins Street

Two story structure

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.3</u>		manufacturing_____

Purpose: change occupancy from Booth Memorial home to parenting center-in residence counseling for 25 mothers and infants; non resident day care and counseling service

Violation(s):

Section

Required

Proposed

9-2 Change in a nonconforming use requires Board of Appeal hearing

Proposal is similar to former maternity home use. Staff conducted neighborhood meeting at Agassiz School January 3. Immediate abutters expressed support with provisos indicated in vote. Jamaica Pond Association is opposed, however abutters stated that the association does not represent them or their interests. Recommend approval.

VOTED: In reference to petition Z-4628, brought by Salvation Army of Mass Inc., 332 Jamaicaaway, Jamaica Plain, for change in a nonconforming use for change of occupancy from Booth Memorial home to parenting center for 25 resident mothers and infants and non resident day care and counseling service in a single family (S-.3) district, the Boston Redevelopment Authority recommends approval with the following provisos: that the program and operation be reviewed by Board of Appeal in eighteen months for compatibility with neighborhood; that the Salvation Army establish an Advisory Council consisting of at least three neighborhood representatives to develop program details, operations, etc; that no truck deliveries be allowed before 8 am or after 6 pm; that visiting hours be limited to 10 pm Sunday thru Thursday and midnight Friday and Saturday; that Salvation Army work with City Traffic & Parking department to determine parking and access routes for servicing clients without inconveniencing or creating potential hazards for nearby residents on densely settled streets; that plans for outside play facilities be submitted to Authority for design review.



ARD'S POND

JAMAICAWAY

PERKINS

STPS

MORaine

PARK

AVENUE

HALIFAX

VIEW

POND

PERSHING

TENNIS
COURTS

LOCHSTEAD

JAMAICAWAY

JAMAICAWAY CT

BEAUFORT

Z-4628

332 JAMAICAWAY
(J.P.)

MARY F. CURLEY
SCHOOL

AVENUE

CENTRE GENTRY

ROBINWOOD

SPRING PARK

KINGSBRIDGE

ROAD

STREET

STREET

STREET

STREET

STREET

STREET

STREET

Board of Appeal Referrals

January 10, 1980

Hearing: 1/29/80

Z-4630

Ronald P. Ludvigson

457 Cummins Highway, Roslindale

Near American Legion Highway

District(s): apartment_____ general business_____ industrial_____

residential_____

local business L-.5

waterfront_____

single family_____

manufacturing_____

Purpose: Use premises, for used car lot (26 cars) and office trailer.

Violation(s):

Section

Required

Proposed

8-7. Outdoor sale or display for sale or new or used motor vehicles is forbidden in an L-.5 District.

Proposed facility would be in an area surrounded by natural vegetation, wildlife, a residential area and a cemetery. Abutters are opposed citing fear of increased vandalism and unwanted activity. Hyde Park Neighborhood Association is opposed. Recommend Denial.

VOTED: In Reference to Petition Z-4630, brought, by Ronald P. Ludvigson, 457 Cummins Highway, Roslindale, for a forbidden use to use premises for used car lot and office trailer in a Local Business (L-.5) District, the Boston Redevelopment Authority recommends denial. Proposed facility would be in an area surrounded by natural vegetation, wildlife, a residential area and a cemetery. Abutters are opposed citing fear of increased vandalism and unwanted activity. Hyde Park Neighborhood Association is opposed.

Z-4630
457 CUMMINS HWY.
(ROS.)



